

1 DONALD SPECTER - 083925
2 REBEKAH EVENSON - 207825
2 PRISON LAW OFFICE
1917 Fifth Street
3 Berkeley, California 94710-1916
Telephone: (510) 280-2621
4 Facsimile: (510) 280-2704

WARREN E. GEORGE – 053588
BINGHAM McCUTCHEN LLP
Three Embarcadero Center
San Francisco, California 94111-4066
Telephone: (415) 393-2000
Facsimile: (415) 393-2286

5 LINDA D. KILB - 136101
6 DISABILITY RIGHTS EDUCATION &
7 DEFENSE FUND, INC.
8 3075 Adeline Street, Suite 201
Berkeley, California 94703
Telephone: (510) 644-2555
Facsimile: (510) 841-8645

MICHAEL W. BIEN – 096891
ERNEST GALVAN – 196065
GAY CROSTHWAIT GRUNFELD – 121944
ROSEN, BIEN & GALVAN, LLP
315 Montgomery Street, Tenth Floor
San Francisco, California 94104-1823
Telephone: (415) 433-6830
Facsimile: (415) 433-7104

9 | Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

14 JOHN ARMSTRONG, et al.,
15 Plaintiffs,
16 v.
17 EDMUND G. BROWN, JR., et al.,
18 Defendants.¹

Case No. C94 2307 CW

**ORDER FOR PAYMENT OF
ATTORNEY'S FEES FOR THE FIRST
TWO QUARTERS OF 2011 AT 2011
RATES**

²⁷ ²⁸ ¹ The names of Defendants currently serving and their capacities have been substituted pursuant to Fed. R. Civ. P. 25.

1 On April 26, 2011, Plaintiffs served their first quarterly statement of the year and
 2 provided Defendants with their 2011 hourly rates. Since service of the first quarterly
 3 statement, the parties have met and conferred over the reasonable rate for 2011 work. A
 4 motion to compel Plaintiffs' 2011 rates is currently due to be filed with the Court on
 5 November 18, 2011. The parties have now agreed upon Plaintiffs' 2011 rates. Pursuant to
 6 this agreement, Defendants are ordered to pay the following principal amounts, plus
 7 interest for the undisputed 2011 hours:

- 8 • \$55,091.50 for fees incurred the First Quarter of 2011, for monitoring and
 9 fee collection activities in the California Department of Corrections of
 10 Rehabilitation Division of Adult Operations and Adult Programs (CDCR
 11 AOAP), Board of Parole Hearings (BPH), and Division of Adult Parole
 12 Operations (DAPO) portions of the case. Attached hereto as **Exhibit A** are
 13 charts setting forth the fees payable to Plaintiffs for the difference between
 14 the amounts previously ordered at 2010 rates and their 2011 rates for these
 15 hours.
- 16 • \$5,535.00 for fees incurred the First Quarter of 2011, at 2011 rates, for hours
 17 ordered at 2010 rates in connection with the Motion to Compel 2010 rates.
 18 Attached hereto as **Exhibit B** is a chart setting forth the difference between
 19 the amount previously ordered to be paid for this portion of the work at 2010
 20 rates and the amount owed at 2011 rates.
- 21 • \$74,380.90 for fees incurred during the Second Quarter of 2011, for
 22 monitoring and fee collection activities in the California Department of
 23 Corrections of Rehabilitation Division of Adult Operations and Adult
 24 Programs (CDCR AOAP), Board of Parole Hearings (BPH), and Division of
 25 Adult Parole Operations (DAPO) portions of the case. Attached hereto as
 26 **Exhibit C** are charts setting forth the fees payable to Plaintiffs for the
 27 difference between the amounts previously ordered at 2010 rates and their
 28 2011 rates for these hours.

1 IT IS HEREBY ORDERED that the amounts set forth above are due and
2 collectable as of forty-five days from the date of entry of this Order. Interest on these fees
3 and costs will continue to run from the dates set forth in the chart attached as **Exhibit D**
4 hereto, accruing at the rate provided by 28 U.S.C. § 1961 (also shown on Exhibit D).

5 **IT IS SO ORDERED.**

6
7 DATED: 11/1/2011

8
9 
10 THE HONORABLE CLAUDIA WILKEN
11 UNITED STATES DISTRICT JUDGE

12 APPROVED AS TO FORM:

13
14 *Jay C. Russell*
15 Jay C. Russell
16 Deputy Attorney General
17 Attorney for Defendants

DATED: October 31, 2011

18 *Gay Crosthwait Grunfeld*
19 Gay Crosthwait Grunfeld
20 Rosen, Bien & Galvan, LLP
21 Attorneys for Plaintiffs

DATED: October 31, 2011